

IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 WICHITA FALLS DIVISION

IN RE:

JOHN HOWELL WILSON  
 LINDA LEE WILSON

CASE NO: 08-70190-HDH-13  
 HEARING DATE: 3/18/2009  
 HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

I.

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
010 0 U	CITIBANK USA	\$431.84	014 0 U	EXECUTIVE SERVICES	\$138.00
018 0 U	KELL WEST REGIONAL HOSPITAL	\$165.71	021 0 U	MERCHANTS CREDIT GUIDE	\$508.34
023 0 U	UNITED REGIONAL HEALTH CARE SYSTEM	\$2,946.61	031 0 U	FIRST NATIONAL BANK	\$1,049.58
032 0 U	HOME DEPOT	\$100.00	033 0 U	HOME DEPOT	\$100.00

II.

**SPECIFIC OBJECTIONS**

No Objections

III.

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
011 0	CLAY CAD	07-08 PROPERTY TAXES	\$2,456.42	\$67,350.00			PD DIRECT BY DEBTOR
013 0	COMPASS BANK	04 TITAN	\$18,929.89	\$12,600.00	8.00%	60	\$269.42 PAID BY TRUSTEE
015 0	FIRST NATIONAL BANK	REAL ESTATE - 3261 WEST ARROWHEAD	\$53,706.00	\$67,350.00			PD DIRECT BY DEBTOR
024 0 *	WELLS FARGO	2004 HYUNDAI ACCENT	\$4,252.46	\$4,500.00	10.00%	60	\$96.34 PAID BY TRUSTEE
<b><u>PRIORITY CREDITORS</u></b>							
003 0 *	INTERNAL REVENUE SERVICE	05-07 INCOME TAXES		\$10,243.13		60	\$156.49 PAID BY TRUSTEE

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
008 0 U	ASSET ACCEPTANCE LLC	\$3,003.59	009 0 U	B-LINE LLC	\$2,825.67
	PURCHASES/LOWES			PURCHASES/BARCLAYS	
012 0 U	CLINICS OF NORTH TEXAS	\$371.30	013 1 U	COMPASS BANK	\$6,329.89
	MEDICAL SERVICES			SPLIT CLAIM/04 TITAN	
016 0 U	ECAST SETTLEMENT CORPORATION	\$734.18	017 0 U	ECAST SETTLEMENT CORPORATION	\$4,578.04
	PURCHASES/LINEN N THINGS/GEMB			PURCHASES/HSBC	

020 0 U	Case 08-70190-hdh13 Doc 34 Filed 01/07/09 Entered 01/07/09 11:54:52 Desc	\$1,309.27	0220 U	ECAST SETTLEMENT CORPORATION	\$1,747.55
	CHASE BANK USA NA <i>PURCHASES/KOHL'S</i>				
025 0 U	ECAST SETTLEMENT CORPORATION	\$4,516.06	026 0 U	WELLS FARGO FINANCIAL BANK	\$4,761.71
	<i>PURCHASES/WELLS FARGO</i>			<i>PURCHASES</i>	
028 0 U *	INTERNAL REVENUE SERVICE	\$7,946.37	029 0 U *	INTERNAL REVENUE SERVICE	\$3,320.96
	<i>01-03 INCOME TAXES</i>			<i>PENALTY</i>	
	<i>Not provided for in confirmed plan.</i>			<i>Not provided for in confirmed plan.</i>	
034 0 U	ECAST SETTLEMENT CORPORATION	\$5,932.47	035 0 U	WELLS FARGO FINANCIAL BANK	\$4,657.81
	<i>PURCHASES/WELLS FARGO</i>			<i>PURCHASES</i>	
036 0 U	WELLS FARGO FINANCIAL BANK	\$4,716.59	042 0 U *	RESURGENT CAPITAL SERVICES	\$418.27
	<i>PURCHASES</i>			<i>PURCHASES</i>	
051 0 U *	PORTFOLIO RECOVERY ASSOCIATES LLC	\$206.23		<i>Not provided for in confirmed plan.</i>	
	<i>PURCHASES/SWBELL</i>				
	<i>Not provided for in confirmed plan.</i>				

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

No Modification Needed

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 3/18/2009 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 1/6/2009

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

AMY BENDER 2938 MCGAHA WICHITA FALLS TX 76308  
ASCENSION CAPITAL GROUP PO BOX 201347 ARLINGTON TX 76006  
ASSET ACCEPTANCE LLC PO BOX 2036 WARREN MI 48090  
BARCLAYS BANK DELAWARE ATTN CUSTOMER SUPPORT DEPARTMENT PO BOX 8833 WILMINGTON DE 19899  
B-LINE LLC PO BOX 91121 MS 550 SEATTLE WA 98111  
CHASE BANK USA NA C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374  
CITIBANK USA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
CLAY CAD 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201  
CLAY CO APPRAISAL DISTRICT C/O AG REIS 101 E OMEGA HENRIETTA TX 76365  
CLINICS OF NORTH TEXAS PAYMENT PROCESSING CENTER PO BOX 730852 DALLAS TX 75373  
COMPASS BANK C/O NAMAN, HOWELL, SHITH, & LEE PO BOX 1470, 900 WASHINGTON 7TH FLOOR WACO TX 76703  
COMPASS BANK PO BOX 10566 BIRMINGHAM AL 35296  
COMPASS BANK PO BOX 201347 ARLINGTON TX 76006  
ECAST SETTLEMENT CORPORATION PO BOX 35480 NEWARK NJ 07193  
EXECUTIVE SERVICES 1200 AUSTIN ST WICHITA FALLS TX 76301  
FIRST NATIONAL BANK PO BOX 94905 WICHITA FALLS TX 76308  
GEMB PO BOX 103106 ROSWELL GA 30076  
HOME DEPOT PO BOX 9172 DESMOINES IA 50368  
HSBC ATTN: BANKRUPTCY DEPARTMENT PO BOX 5213 CAROL STREAM IL 60197  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75248  
JOHN HOWELL WILSON & LINDA LEE WILSON 3261 W ARROWHEAD DR WICHITA FALLS TX 76310  
KELL WEST REGIONAL HOSPITAL 5420 KELL WEST BLVD WICHITA FALLS TX 76310  
KELLY MOORE 2602 KEMP WICHITA FALLS TX 76309  
KOHLS PO BOX 3120 MILWAUKEE WI 53201  
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201  
MERCHANTS CREDIT GUIDE 223 W JACKSON BLVD CHICAGO IL 60606  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 12914 NORFOLK VA 23541  
PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK VA 23541  
RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603  
SAMS CLUB PO BOX 103104 ROSWELL GA 30076  
UNITED REGIONAL HEALTH CARE SYSTEM 1600 18TH ST WICHITA FALLS TX 76301  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO FINANCIAL BANK 3201 N 4TH AVE SIOUX FALLS SD 57104  
WELLS FARGO FINANCIAL BANK PO BOX 14487 ATTN PAYMENT PROCESSING DES MOINES IA 50306  
WELLS FARGO FINANCIAL BANK PO BOX 5943 SIOUX FALLS SD 57117  
WELLS FARGO FINANCIAL PO BOX 10438 WELLS FARGO DISPUTE DES MOINES IA 50306  
WELLS FARGO PO BOX 60510 LOS ANGELES CA 90060  
WELLS FARGO PO BOX 94423 MAC# Q2132-013 ALBUQUERQUE NM 87199  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242